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RG:0086

Mr. Brian J. J. Choy
Environmental Planning Office
Environmental Protection and Health Services Division
Department of Health
645 Halekauwila Street, Third Floor
Honolulu, Hawaii 96813

Dear Mr. Choy:

Pre-Draft Notice
State Toxic Control Programs
(Derivation of Water Quality-Based Discharge
Limits for Biomonitoring and Specific Pollutants)

This document is a pre-draft of the State Toxic Control Program which provides the guidance for the development of water quality-based toxicity limits in NPDES permits. Our review was conducted with the assistance of Keith Chave, Oceanography; Roger Fujioka, Water Resources Research Center; and C. Anna Ulaszewski, Environmental Center.

General Comments: The inclusion of "Best Professional Judgment" in several sections of this report adds a human element to the program; it gives the "permit writer" the opportunity to treat each applicant on a case-by-case basis while working within the framework of these guidelines. However, there is some concern about possible inconsistencies in applying the provisions of this program. According to page 1, paragraph 3, "Revised water quality standards are being prepared which will contain specific standards for individual toxic pollutants, and clarify the biomonitoring toxicity requirements." Hopefully, the inclusion of these additions in the final draft will provide the necessary guidance to insure fair and equitable enforcement of the provisions of this program.

Specific Pollutant Limitations, page 2: The proposed water quality standards are divided into two main categories: aquatic toxicity standards and human health standards. The human health standards are further broken down into two subcategories: 1) standards for Class 1 waters which provide protection from direct ingestion of contaminated water and aquatic organisms and 2) standards for all waters which provide

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protection from consumption of contaminated organisms only. We recommend that you include: protection from inhalation of and contact with contaminated water.

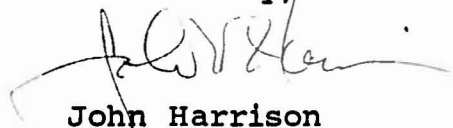
Whole Effluent Toxicity, page 2: The concept of "whole effluent toxicity" is an important part of a water quality program. Too often, the synergism of pollutants and their effects are ignored. According to page 3, paragraph 1: "In certain circumstances, such as multiple discharger situations, or when necessary to enforce a wasteload allocation, more stringent limitations may be necessary to protect water quality." It is important that these limitations and the procedures to deal with special situations be incorporated in the final draft.

Chemical Detection Levels, page 21: Because guidelines, technical reports, and standards are constantly being updated, we recommend that the date of a required document be referred to as the "latest revision". In this subsection, the reference to EPA's Methods for Chemical Analysis of Water and Wastes (EPA 600/4-79-020, Revised 1983) would read (EPA 600/4-79-020, latest revision).

Quality Criteria Summary, attachment: It is unclear why EPA's "Quality Criteria Summary" is included with this draft document. According to page 1, paragraph 3, "revised water quality standards are being prepared..." and will contain "...numeric limitations for over 100 pollutants" (page 2, paragraph 1). Will this summary form the basis for the revised standards? If so, this list should be expanded since only five (5) metals are listed which give both the marine and drinking water limits.

Thank you for the opportunity to comment on of this document. We hope our comments will be helpful in preparing the final document and we look forward to the opportunity of reviewing it.

Yours truly,



John Harrison
Environmental Coordinator

cc: OEQC
Keith E. Chave
Roger S. Fujioka
C. Anna Ulaszewski